

REMARKS:

- 1) In response to the Telephonic Restriction Requirement of August 20, 2003, the applicants hereby elect the method claims 1 to 6 for examination.
- 2) A new claim 12 has been added to the application. Claim 12 is directed to an apparatus for carrying out the method according to claim 1, whereby the apparatus includes all the structural features recited in claim 1, as well as "means" for performing the process features of claim 1. As such, claim 12 is a "linking claim" that "links" the method invention and the apparatus invention. In this regard see M.P.E.P. §806.05(e), §809.03, §809.04, etc.
- 3) The Restriction Requirement is respectfully traversed in view of the newly added linking claim 12. As set forth in M.P.E.P. §806.05(e): *"If the apparatus claims include a claim to 'means' for practicing the process, the claim is a linking claim and must be examined with the elected invention. If it is ultimately allowed, rejoinder is required."* (emphasis added). Thus, in accordance with these required procedures, the Examiner is respectfully requested to examine the linking claim 12 together with the elected method claims 1 to 6, and then to rejoin and examine the non-elected apparatus claims 7 to 11 in the event the linking claim 12 is ultimately found allowable.

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- 4) The Examiner is further requested to acknowledge and approve the following formal matters in the next official communication:
- a) the formal drawings filed with this application on August 13, 2001;
  - b) the foreign priority claim and receipt of the Priority Document; and
  - c) the Information Disclosure Statement filed on December 17, 2002.
- 5) Favorable consideration and allowance of the application, including all present claims 1 to 12, are respectfully requested.

Respectfully submitted,

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Applicant

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Enclosures: Form PTO-2038

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CERTIFICATE OF FAX TRANSMISSION:

I hereby certify that this correspondence with all indicated enclosures is being transmitted by telefax to (703) 872-9306 on the date indicated below, and is addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

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